

**REMARKS**

In the final Office Action, the Examiner rejects claims 1, 3-11, and 46-51 under 35 U.S.C. § 103(a) as unpatentable over PETROPOULOS (U.S. Patent Application Publication No. 2005/0027670) in view of “QueryCat: Automatic Categorization of MEDLINE Queries”, by W. Pratt and H. Wasserman, 655-659, Amia, Inc., 2000 (hereinafter PRATT). Applicants traverse this rejection.

By way of the present amendment, Applicants amend claims 1, 5, 6, and 9-11 to improve form and add new claims 52 and 53. No new matter has been added by way of the present amendment. Claims 1, 3-11, and 46-53 are pending.

**Statement Regarding Substance of Interview**

In accordance with Applicants’ duty to provide a summary of an interview, Applicants submit that an interview with the Examiner Pyo occurred on February 18, 2011. Applicants appreciate the courtesies extended by Examiner Pyo during the interview. During the interview, Applicants’ representative discussed amendments to claim 1. No agreement was reached.

**Rejection under 35 U.S.C. § 103(a) based on PETROPOULOS and PRATT**

Claims 1, 3-11, and 46-51 under 35 U.S.C. § 103(a) as allegedly unpatentable over PETROPOULOS in view of PRATT. The rejection is respectfully traversed.

Amended independent claim 1 recites a method that is performed by one or more server devices. PETROPOULOS and PRATT, whether taken alone or in any reasonable combination, do not disclose or suggest one or more of the features recited in claim 1.

For example, PETROPOULOS and PRATT do not disclose or suggest determining, by one or more processors of the one or more server devices, whether a query is a commercial query by identifying the query as a commercial query when one or more terms of the query, in any

particular order, matches the commercial query pattern in the list of commercial query patterns, where the list of commercial query patterns includes patterns associated with one or more host names or domain names that include more than a particular number of hyphens, as recited in amended claim 1. The Examiner admits that PETROPOULOS does not disclose that categorizing a query into a commercial query or a non-commercial query “is performed based on the comparison between a query and a list of commercial query patterns” (Office Action, pg. 3). The Examiner relies on Fig. 1, page 655, column 2, lines 27-30, and page 656, column 1, line 39 – column 2, line 2 (which describes Fig. 1) of PRATT as allegedly disclosing this feature (final Office Action, pp. 3-4). Applicants submit that neither these sections, nor any other sections, of PRATT disclose or suggest the above feature of amended claim 1.

At page 655, column 2, lines 27-30, PRATT discloses that “if the user asked about treatment for breast cancer, DynaCat would select specific treatments such as radiation therapy as categories and present a hierarchy of those categories to the user.” This section of PRATT does not disclose or suggest determining whether a query is a commercial query by identifying the query as a commercial query when one or more terms of the query, in any particular order, matches the commercial query pattern in the list of commercial query patterns, let alone that the list of commercial query patterns includes patterns associated with one or more host names or domain names that include more than a particular number of hyphens. Therefore, this section of PRATT cannot disclose or suggest determining, by one or more processors of the one or more server devices, whether a query is a commercial query by identifying the query as a commercial query when one or more terms of the query, in any particular order, matches the commercial query pattern in the list of commercial query patterns, where the list of commercial query

patterns includes patterns associated with one or more host names or domain names that include more than a particular number of hyphens, as recited in amended claim 1.

At page 656, column 1, line 39 – column 2, line 2, PRATT discloses that QueryCat's system architecture "combines two analysis phases: a lexical analysis phase which looks for patterns of specific words or phrases and a semantic analysis phase which looks for patterns in the meaning of the words or phrases." This section of PRATT does not disclose or suggest determining whether a query is a commercial query by identifying the query as a commercial query when one or more terms of the query, in any particular order, matches the commercial query pattern in the list of commercial query patterns, let alone that the list of commercial query patterns includes patterns associated with one or more host names or domain names that include more than a particular number of hyphens. Therefore, this section of PRATT cannot disclose or suggest determining, by one or more processors of the one or more server devices, whether a query is a commercial query by identifying the query as a commercial query when one or more terms of the query, in any particular order, matches the commercial query pattern in the list of commercial query patterns, where the list of commercial query patterns includes patterns associated with one or more host names or domain names that include more than a particular number of hyphens, as recited in amended claim 1.

For at least the foregoing reasons, Applicants submit that claim 1 is patentable over PETROPOULOS and PRATT, whether taken alone or in any reasonable combination.

Claims 3-8 depend from claim 1. Therefore, these claims are patentable over PETROPOULOS and PRATT, whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 1.

As can be appreciated from the foregoing, each of claims 9-11 recites at least one feature not disclosed or suggested by the asserted combination of references. Therefore, claims 9-11 are patentable over PETROPOULOS and PRATT, whether taken alone or in any reasonable combination, for at least reasons similar the reasons given above.

Claims 46 and 47 depend from claim 9. Therefore, these claims are patentable over PETROPOULOS and PRATT, whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 9.

Claims 48 and 49 depend from claim 10. Therefore, these claims are patentable over PETROPOULOS and PRATT, whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 10.

Claims 50 and 51 depend from claim 11. Therefore, these claims are patentable over PETROPOULOS and PRATT, whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 11.

In light of the above, Applicants request reconsideration and withdrawal of the rejection of claims 1, 3-11, and 46-51 under 35 U.S.C. § 103(a) based on PETROPOULOS and PRATT.

### ***Conclusion***

In view of the foregoing amendments and remarks, Applicants respectfully request the Examiner's reconsideration of the application and the timely allowance of the pending claims.

While the present application is now believed to be in condition for allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise which could be eliminated through discussions with Applicants' representative, then the Examiner is invited to contact the undersigned by telephone to expedite prosecution of the application.

As Applicants' remarks with respect to the Examiner's rejections are sufficient to

overcome these rejections, Applicants' silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such assertions (e.g., whether a reference constitutes prior art, reasons to modify a reference and/or to combine references, assertions as to dependent claims, etc.) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such assertions/requirements in the future.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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